

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TOTAL LANDSCAPING CARE, LLC,

Plaintiff

v.

**TOWER CLEANING SYSTEMS, INC.,
d/b/a US MAINTENANCE OR USM ,**

Defendant.

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CIVIL ACTION NO. 10-CV-6542

ORDER

AND NOW, this ____ day of February 2012, upon consideration of Plaintiff's Motion for Judgment on the Pleadings (Doc. 10), Defendant's Response and Cross Motion for Judgment on the Pleadings and/or Summary Judgment (Doc. 11), and Plaintiff's Response (Doc. 13), the Court orders that:

- (1) Plaintiff's Motion for Judgment on the Pleadings is **DENIED**, and
- (2) Defendant's Cross Motion for Judgment on the Pleadings and/or Summary Judgment is **GRANTED**.¹

IT IS FURTHER ORDERED that the Clerk of Court shall mark this case CLOSED for statistical purposes.

BY THE COURT:

/s/ **Petrese B. Tucker**

Hon. Petrese B. Tucker, U.S.D.J.

¹ This order accompanies the Court's memorandum, issued on February 29, 2012.